



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/609,181	06/26/2003	Mayumi Sugimoto	03279/HG

01933

FRISHAUF, HOLTZ, GOODMAN & CHICK, PC
767 THIRD AVENUE
25TH FLOOR
NEW YORK, NY 10017-2023



CONFIRMATION NO. 1580

FORMALITIES LETTER



OC000000012032284

Date Mailed: 03/05/2004

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE
DISCLOSURES**

Filing Date Granted

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

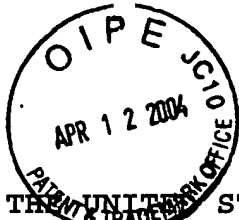
*A copy of this notice **MUST** be returned with the reply.*

Z. Araya

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



**IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE**

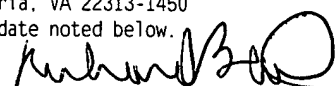
Serial No. : 10/609,181
Applicants : Mayumi SUGIMOTO et al.
Filed : June 26, 2003
For : METHOD FOR GENE DIAGNOSIS
OF BOVINE Hsp70 DEFICIENCY
Art Unit : 1632
Docket No. : 03279/HG
Customer No.: 01933
Confirmation No.: 1580

MAIL STOP MISSING PARTS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING

I hereby certify this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class mail in an envelope addressed to:
Commissioner for Patents,
P.O. Box 1450
Alexandria, VA 22313-1450
on the date noted below.


Attorney: Richard S. Barth

Dated: April 7, 2004

In the event that this Paper is late filed, and the necessary petition for extension of time is not filed concurrently herewith, please consider this as a Petition for the requisite extension of time, and to the extent not tendered by check attached hereto, authorization to charge the extension fee, or any other fee required in connection with this Paper, to Account No. 06-1378.

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS
FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE
SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

S I R :

This is in response to the NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES mailed on March 5, 2004. A RAW SEQUENCE LISTING REPORT was attached to said NOTICE. A term of two months was set for responding to said NOTICE.

A copy of said NOTICE is enclosed.

The NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES required that applicants submit a Substitute Sequence Listing, including a computer readable form (CRF) and a paper copy of the Sequence Listing and an appropriate Statement under 37 CFR 1.821.

In response to the aforesaid NOTICE, submitted herewith are the following:

(1) a Substitute Sequence Listing, including a computer readable form and a paper copy of the Substitute Sequence Listing; and

(2) a STATEMENT UNDER 37 CFR 1.821(f) & (g) of Mayumi SUGIMOTO dated March 22, 2004.

A PRELIMINARY AMENDMENT is being filed concomitantly herewith to include the Substitute Sequence Listing that is appended hereto.

It is respectfully submitted that the enclosures submitted herewith serve to correct the errors set forth in the Raw

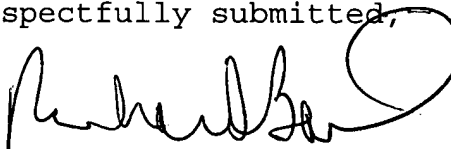
Sequence Listing Error Report and comply with the requirements set forth in the aforementioned NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES.

The SUPPLEMENTAL STATEMENT UNDER 37 CFR 1.821(f)&(g) of the undersigned dated February 3, 2004 indicated that page 4, line 20 of the Sequence Listing received from the applicants was changed to replace "5280" with "--5520--". This change was reflected in the paper copy of the Sequence Listing filed on February 6, 2004. However, in view of the Raw Sequence Listing Error Report, apparently this change was not reflected in the computer readable form ("CRF") of the Sequence Listing filed on February 6, 2004. The undersigned considers that the "CRF" filed on February 6, 2004 could have been the unchanged CRF received from the applicants.

It is respectfully submitted that the application now
complies with all the requirements of 37 CFR 1.821 to 1.825.

Frishauf, Holtz, Goodman
& Chick, P.C.
767 Third Ave., 25th Floor
New York, NY 10017-2023
Tel. Nos. (212) 319-4900
(212) 319-4551/Ext. 219
Fax No.: (212) 319-5101
E-Mail Address: BARTH@FHGC-LAW.COM

Respectfully submitted,



Richard S. Barth
Reg. No. 28,180

- Encs.: (1) Copy of PTO NOTICE dated March 5, 2004
- (2) computer readable form and paper copy
of the Substitute Sequence Listing
- (3) STATEMENT UNDER 37 CFR 1.821(f) & (g) of
Mayumi SUGIMOTO dated March 22, 2004
- (4) PRELIMINARY AMENDMENT